

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BARBARA FORLASTRO and ROBERT G. FORLASTRO,
as co-administrators of the Estate of
ROBERT J. FORLASTRO,

Case No.: 1:07-CV-3288
(RPP) (FM)

Plaintiffs,

vs.

JAMES COLLINS,

Defendant.

MARCH 13, 2008

PLAINTIFFS' VOIR DIRE QUESTIONS

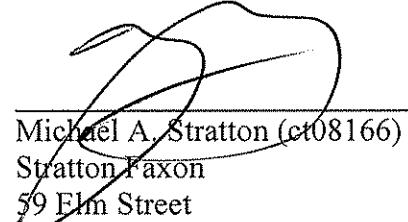
The plaintiffs hereby submit the following list of proposed questions to be submitted to the jury panel:

1. Have you ever driven a commercial truck?
2. Have you ever held a CDL license?
3. Have you ever been sued?
4. Have you ever been a party or witness to a wrongful death action or personal injury action?
5. Do you have any feelings about awarding money for pain and suffering?
6. Do you have any feelings about awarding money for death?

7. Has anyone in your immediate family or a close friend ever suffered a wrongful death caused by a third party?
8. Do you have any concerns about rendering a judgment or making judgments in a civil case?
9. Do you have any preconceived notions about how much money would be too much or too little for a death?
10. Do you live in Carmel?
11. Are you familiar with where this incident occurred?
12. Do you have any connection with NYSEG? Do you have any feelings positive or negative for that company or its employees?
13. Can you follow the law as it relates to negligence – meaning holding someone responsible for their carelessness, their mistake?
14. Can you follow the law as it relates to the burden of proof-meaning the plaintiff need only prove their claim is more likely than not or what is known as the preponderance of evidence?
15. Do you understand and can you accept that the plaintiff need not prove their claim beyond a reasonable doubt? This is a much higher standard reserved for criminal cases.
16. Will you actively deliberate with other members of the jury or do you have trouble working with others, listening to others and/or asserting your views?

17. Have you been guilty of one or more infractions of the rules of the road in the last 5 years as a driver?
18. Are you a caretaker for your parents or others?
19. Do you have any strong feelings about a child's responsibility for taking care of their parents?

THE PLAINTIFFS



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CERTIFICATION

This is to certify that a copy of the foregoing Motion was efiled via ECF on this date to the following counsel of record:

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Michael A. Stratton

